

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 07-CR-20072FL

vs.

HON. PAUL V. GADOLA
MAG. JUDGE STEVEN D. PEPE

CORNELIUS AHMAD WARREN,

Defendant.

ORDER CONTINUING ORDER OF DETENTION

This matter is before the Court upon the request of the defendant to review the Consent Order of Detention Pending Trial filed on February 27, 2007, (D/E #10). The defendant originally consented to detention in this matter, subject to review should the defendant find a suitable third-party who would supervise him while on pretrial release.

Having heard oral argument on this matter, I find that despite the defendant's ability to have obtained an individual who has agreed to act as a third-party custodian, the defendant has not overcome the presumption under 18 U.S.C. § 3142 that there are no conditions or combination of conditions which will reasonably assure the appearance of the defendant before the Court.

The information presented at the hearing indicates that while on pretrial release for a 1999 state court offense, the defendant failed to appear in court for trial when required. The record should also reflect that in April, 2001, the defendant was charged with possession with intent to distribute cocaine. He was paroled in 2002 on that matter and subsequently violated the terms of his parole. The defendant was also charged with another offense in 2003, with

possession of cocaine, and he was sentenced to a term of three years probation on that matter.

The defendant also violated the terms of his probation relating to that matter.

Based upon the defendant's failure to appear when required, his disregard for court orders by failing to abide by the terms of his state court parole and probation, as well as the lengthy term of incarceration which he faces with the instant offense, I find that the defendant has not rebutted the presumption that there are no conditions or a combination of conditions which will assure his appearance in court.

The defendant's request for bond is hereby **DENIED**. The order of detention previously entered in this matter shall remain in effect. The defendant is hereby remanded to the custody of the United States Marshal.

IT IS SO ORDERED.

Dated: March 7, 2007

s/ Steven D. Pepe
Steven D. Pepe
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on March 7, 2007, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Mark Jones, AUSA, David Koelzer, Esq., and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: U.S. Marshal, 600 Church St., Flint, MI 48502, Pretrial Officer, 600 Church St., Flint, MI 48502

s/ James P. Peltier
Courtroom Deputy Clerk
U.S. District Court
600 Church St.
Flint, MI 48502
810-341-7850
pete_peltier@mied.uscourts.gov